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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/038,959	04/19/2001	John M. Whinn	5401/CMPI/RKK	1670

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APPLIED MATERIALS, INC.
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EXAMINER

SNIDER, THERESA T

ART UNIT PAPER NUMBER

1744

DATE MAILED: 02/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/838,959

Applicant(s)

WHITE ET AL.

Examiner

Theresa T. Snider

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any claimed patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-29 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-2, 6-7, 10 and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Larkin.

Larkin discloses a mounting member (fig. 1, #28).

Larkin discloses a bearing secured to the mounting member (fig. 3, #26).

Larkin discloses a brush support rotatably mounted on the bearing with a contact surface having a spherical profile (fig. 3, #20,22).

With respect to claims 2, 7 and 13, Larkin discloses the contact surface having a concave shape to mate with a convex portion of the mounting support (fig. 3, #22).

With respect to claim 6, Larkin discloses a mandrel with a generally cylindrical body (fig. 3, #12). Larkin discloses an end adapted to couple to a mounting support (fig. 3, end near #22). Larkin discloses the end including a contact surface having a spherical profile to contact the mounting support (fig. 3, unnumbered element surrounding #22).

With respect to claim 10, Larkin discloses a brush assembly (fig. 3, #16).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 3, 8, 14-15 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larkin.

Larkin discloses a similar mandrel however fails to disclose the mandrel having a convex profile and the mounting support having a concave profile and a second mounting assembly similar to the first mounting assembly.

With respect to claims 3, 8, 14, 19-20 and 23-24, it would have been obvious to one of ordinary skill in the art to provide the convex profile on the brush assembly/mandrel and the concave profile on the mounting support of Larkin, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art.

With respect to claims 15 and 21, Larkin discloses a second mounting assembly (fig. 3, #18). It would have been obvious to one of ordinary skill in the art to construct the second mounting assembly, similar to the first mounting assembly, to allow for removal and flexibility from either end.

With respect to claims 18 and 22, Larkin discloses the contact surface having a concave shape to mate with a convex portion of the mounting support (fig. 3, #22).

5. Claims 4, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larkin as applied to claims 1 and 10 above, and further in view of Keller, Sr.

Larkin discloses a similar mandrel however fails to disclose a spring mounted in the mounting assembly.

Keller, Sr. discloses a brush mounting assembly having a spring mounted therein for biasing against a brush assembly (fig 1, #35). It would have been obvious to one of

ordinary skill in the art to provide the spring of Keller, Sr. in Larkin to allow for ease in releasing the mandrel from the mounting support.

6. Claims 9, 12, 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larkin as applied to claims 6, 10 and 21 above, and further in view of Walz et al.

Larkin discloses a similar mandrel however fails to disclose a spring mounted in the body.

Walz et al. discloses a cylindrical body having a spring mounted therein for biasing against a mounting support (fig.1, #11). It would have been obvious to one of ordinary skill in the art to provide the spring of Walz et al. in Larkin to allow for ease in releasing the mandrel from the mounting support.

Response to Arguments

7. Applicant's arguments filed 1/8/2004 have been fully considered but they are not persuasive. Applicant urges that Larkin would not be able to compensate for misalignment during brush mounting because it is securely attached to a plate. Applicant is believed to be in error with his arguments because it is believed that #22 of Larkin forms a spherical joint with the mating element of the shaft (figs. 1 and 3). It is noted that figure 1 illustrates the brush being removed from the mounting assembly and it is believed to mount the brush one would reverse the process. From figure 1, one can see that #22 forms a spherical joint because the brush is pivoted out of position. It is therefore believed that to mount the brush, #22 allows for pivoting of the brush into proper alignment, meeting the new limitation of the claims. Examiner

recognizes that Larkin requires an end plate #38 and the insertion of pins #34 into flange #36 to allow for securement of the brush for operation and therefore wouldn't allow for pivoting during operation. HOWEVER, it is believed that the joint #22 of Larkin would 'compensate for mounting assembly misalignment during brush mounting' because to mount the brush into the assembly it will have to be pivoted into position.

Allowable Subject Matter

8. Claims 26-29 are allowed.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Wednesday-Friday (6:30AM-3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Theresa T. Snider
Primary Examiner
Art Unit 1744

02/09/2004

THERESA T. SNIDER
PRIMARY EXAMINER